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10 IN THE UNITED STATES BANKRUPTCY COURT
11 FOR THE EASTERN DISTRICT OF CALIFORNIA
12 FRESNO DIVISION

13 In re:)
14 SHAYLAN CHARMAINE WHIPKEY,)
15)
16)
17)
18 Debtor.)
Case No.: 09-17287-B-7K
Chapter 7
D.C. No. UST-1

19
20 **UNITED STATES TRUSTEE'S *EX PARTE***
21 **MOTION TO REOPEN CASE**

22 TO THE HONORABLE W. RICHARD LEE,
UNITED STATES BANKRUPTCY JUDGE:

23 August B. Landis, Acting United States Trustee for Region 17, files his ex parte
24 motion to reopen this case pursuant to 11 U.S.C. § 350(b) and Fed.R.Bankr.P. 5010, as
25 follows

26 1. The Debtor received her discharge in this case on November 30, 2009.
27 An Order Approving Trustee's Report of No Distribution, Discharging Trustee and Closing
28 Estate was entered on December 04, 2009.

2. The UST is informed and believes that the Debtor failed to disclose, in her bankruptcy schedules, her interest in a pending lawsuit. The UST believes that these funds may be property of the estate.

3. UST requests the case be reopened pursuant to 11 U.S.C. § 350(b) and Fed.R.Bankr.P. 5010, to allow the funds to be administered by the trustee for the benefit of the creditors.

4. In the event the case is reopened, the UST requests that the court order the appointment of a trustee. A trustee is necessary at this time to protect the interests of creditors and the Debtor to insure efficient administration of the estate.

WHEREFORE, PREMISES CONSIDERED, the United States Trustee requests that his motion to reopen this case be granted, and that he have such other and further relief as is just.

Dated: October 7, 2011.

Respectfully Submitted,

Mark L. Pope
Assistant United States Trustee

By: /S/ Gregory S. Powell
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